

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. Charles Henry Miles	For U. S.: Hubert H. Bryant Asst. U. S. Attorney For Defendant: Harry Vincent Kengle III 1920 So. Lewis (Ct. Apptd.) Tulsa, Okla. 74104 Robert G. Brown (Ct. Apptd.) Law Bldg., 500 W. 7th, Tulsa, Ok 74119

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
<i>11-1-71</i> J.S. 2 mailed <i>10-1-69</i> J.S. 3 mailed <i>10-31-69</i> <i>modified 8-1-71</i> Violation <i>narcotics</i> Title 26 Sec. 4705(a)	Clerk Marshal Docket fee				

DATE	PROCEEDINGS
9-2-69	Record vote of the grand jury, filed in open court. b
9-2-69	Indictment, filed in open court. b
9-25-69	Defendant present in person and represented. Defendant arraigned, enters pleas of GUILTY as to Cts. 1&2 of the Indictment, and adjudged GUILTY as charged in Cts. 1&2, and sentence passed to Tuesday, 10-7-69 at 10:00 A.M. (AEB-J)h
10-7-69	Deft. present in person and represented. Judgment and Sentence - Charles Henry Miles (Age 25) Count One - Atty. Gen., Ten (10) Years County Two- Atty. Gen., Five (5) Years, to run concurrently with sentence imposed in Count One. (AEB-J)m
10-7-69	Judgment and Commitment, filed and entered. (AEB-J)m
10-7-69	Two c/c of J&C delivered to U.S. Marshal. m
11-6-69	Return on J&C, filed. Deft. delivered to Leavenworth, Kansas, on 10-30-69. m
11-13-69	Defendant's motion (letter dated 11-10-69) to reduce sentence under Rule 35, filed. m
11-20-69	Ordered that deft's motion to reduce sentence under Rule 35 is over-ruled. (AEB-J)m

10-7-71 Hearing on 2255 held in Case #71-C-219. It is ordered that plea of guilty of deft. in 69-CR-90 is vacated & set aside & deft. to re-plea on 10-12-71 at 10:00 a.m. Case set for jury proceedings trial on 10-20-71 at 10:00 a.m. (AEB-J)h

10-12-71 Deft's motion to dismiss, filed. m

10-12-71 Brief in support of deft's motion to dismiss, filed. m

10-12-71 Def. present in person and rep. Def. advised of charge, arraigned and enters pleas of NOT GUILTY as to Cts. 1&2. At request of govt. case to be set at next jury term. (AEB-J)h

11-12-71 Case set for Jury trial on Mon. 11-29-71 at 10:00 am. (AEB-J)h

11-19-71 Response to Motion to Dismiss, filed by the Pltf., filed. r

11-23-71 Defendant ~~PRESENT~~ Charles Henry Miles present in person and represented by Robt. G. Brown, ct. appt counsel. The govt rep. by Hubert H. Bryant. It is ordered that def's motion to dismiss is overruled. (AEB-J)h

11-24-71 Order, filed in open court, that deft's motion to dismiss the indictment is overruled. (AEB-J)m (copies mailed)

11-29-71 Defendant present in person and represented. Parties announce ready for Jury Trial, and case passed for Jury Trial to Wednesday, 12-1-71 at 10:00am (AEB)

11-29-71 Application to subpoena Witnesses by the Deft., Charles H. Miles, filed.v Names of said witnesses are the following: (With Govt. bearing costs)
1. Georgia Miles 2. Sydney Wilson 3. Wilbert Harris
Ordered that the above said witnesses shall be subpoenaed on behalf of the Defendant, all at the cost of the Government, filed. (AEB-J)v

12-1-71 Case tried to a jury on 12-1 & 2-71. Defendant's motions to dismiss, acquittal are each overruled. Jury returns with verdict finding the defendant GUILTY as charged in Cts. 1&2 of the Indictment, and is adjudged GUILTY as charged in Cts. 1&2. Verdict received, read and filed in open court. Defendant advised of his right to appeal. Sentence passed to Tuesday, December 7, 1971 at 10:00 A.M. (AEB-J)h

12-7-71 Defendant present in person and represented by Robt. G. Brown, appt. Counsel. The govt. rep. by Jack Short. Defendant's request to be released over Christmas Holiday Season taken under advisement, and decision and sentence is hereby passed to Tuesday, Dec. 14, 1971 at 10:00am. (AEB)

12-9-71 Return on subpoenas to testify, filed. Served Wilbert Harris, Georgia Miles, and Sydney Wilson. ds

12-14-71 Defendant present in person and represented by Robt. G. Brown, ct. appt. counsel. Statements made. Govt. makes objections to Def's application for release. It is ordered that sentence and decision is continued to 12-15-71 at 10:00am (AEB)

12-15-71 Defendant Charles Henry Miles present in person and rep. by Robt. G. Brown, appt. counsel. The govt rep. by Jack Short. It is ordered that def's application for release is denied.

Judgment and Sentence- Charles Henry Miles
Ct. 1- Atty Gen- Five (5) years
Ct. 2- Atty Gen- Five (5) years; to run consecutively with period of sentence in Ct. 1.
Defendant's oral application for court to have Ct. 1&2 run concurrent, taken under advisement, and Robt. Brown, Atty. directed to file Rule 35 Brief in 10 days. (AEB-J)h

12-15-71 Order of J&C filed and entered. (AEB-J)h

12-15-71 Two c.c. of above delivered to USM.h

12-23-71 Notice of appeal by defendant, filed. cpy to USCA & US Atty. g

1-7-72 J&C ret. & filed: deft. delivered to USP Leavenworth, Ks., 1-4-72. g

1-18-72 Motion of defendant to reduce sentence, and brief as part of such motion, filed. (rm)

1-20-72 Order for transcript of proceedings at gov't. expense, filed (AEB-J)g (cc to L. Marks, CSR)

2-1-72 Application for extension of time for filing and docketing appeal, filed. g

2-1-72 Request for transcript of trial proceedings, filed. g

D. C. 109A
CRIMINAL DOCKET

DATE	PROCEEDINGS
2-1-72	Order extending time 50 days from 2-1-72 (until 3-22-72) to docket appeal, filed. cpies mailed. g
3-17-72	Transcript of arraignment & plea, 10-12-71, filed. (LEM-CSR)g
3-17-72	Transcript of hearing on motion to dismiss, 11-23-71, filed. (LEM-CSR)g
3-17-72	Transcript of Trial proceedings, 12-1-71, filed. (LEM-CSR)g
3-17-72	Transcript of sentencing proceedings, 12-15-71, filed. (LEM-CSR)g
3-20-72	Appeal record sent to USCA, Denver. (orig. + 3 cpies)
5-25-73	Appl. of def. for reduction of sentence, w/memo in support thereof, filed. ^{Copy to D} rm
6-7-73	Mandate of USCA affirming judgment of 12/15/71, filed and spread of record. rm
6-7-73	Appeal record (in five volumes) received from USCA. rm
7-19-73	Order modifying judgment and sentence, filed & entered: Sentence modified to read:
	<p style="text-align: center;">Impr.</p> <p>Ct. One - Five (5) years/ to run concurrent with Ct. 1. Ct. Two - Five (5) years/ (AEB-J)jj copy to deft., Warden at Leavenworth and Robt. G. Brown</p>

DATE	PROCEEDINGS

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Benjamin B. Ballenger

(Name of commissioner)

411 U. S. Court House, Tulsa, Okla.

(Address)

COMMISSIONER'S
DOCKET NO. 2 CASE NO. 514
THE UNITED STATES
vs.

Charles Henry Miles

Complaint filed on July 8th, 1969, by John C. Blanton
Official title Spec. Agt. BN&DD charging violation of
United States Code, Title 26, Section 4705(a), on Feb. 5th
1969, at Tulsa, Okla. in the
division of the Northern district of Oklahoma
as follows: did knowingly, willfully and unlawfully
sell to John C. Blanton and Charles K. Jones a narcot-
ic drug, to-wit, a quantity of Heroin, not in pursu-
ance of a written order of John C. Blanton and
Charles K. Jones on a form issued in blank for the
purpose by the Secretary of the Treas or his agent
as provided by law.

WARRANTS OR SUMMONS ISSUED:

Date July 8th, 1969 Warrant/Summons for Charles Henry Miles

to (name and title of officer) the United States Marshal or any other authorized officer:

Substance of return Charles Henry Miles arrested at Tulsa, Oklahoma on July 23,
1969 by John C. Blanton, Special Agent, U.S. Bureau of Narcotics & Dangerous
Date Warrant/Summons for Drugs

to (name and title of officer)

Substance of return

FILED

(Name of defendant)

7-8-1969 17153

AUG - 1 1969

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date July 23, 1969 Arrested by John C. Blanton M. M. EWING, CLERK of Ballenger
U. S. DISTRICT COURT (Name of issuing officer)
without warrant.

Appearances { for United States Hubert H. Bryant
(Name)

(Address)

for accused Harry Vincent Kingle III
(Name)

(Address)

Proceedings taken July 23, 1969, Defendant Charles Henry Miles, present in person

(Here insert with dates, when appropriate, a serialim account of essential steps taken at hearing such as "complaint prepared,"

and not represented by counsel, advised as to his right to the assistance of

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

counsel and he declines Court appointed counsel, states his mother will

if that is the fact; any adjournments taken, etc.

employ counsel for him. Bond fixed at \$10,000.00 cash or surety company.

July 25, 1969 - Defendant Charles Henry Miles, present in person and not
represented, signs affidavit for Court appointed counsel. Harry Vincent

Kingle III appointed to represent the defendant. Advised of the charged and
his right to preliminary hearing. Preliminary hearing set on August 1, 1969

at 9:00 A. M. Defendant failed to post bond and is committed to custody
of U. S. Marshal to be held for preliminary.

Outcome Held for preliminary hearing.

cash or surety

Bail fixed July 23rd, 1969 Amount, \$10,000.00 Bonded, 19, by cash
deposited by (name) Address

transmitted to clerk of district court, 19 [or] by surety
(name) Address

(name) Address, who
justified by affidavit dated, 19, [or] committed to U. S. Marshal

on July 23rd, 1969

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness)_____
 at request of (name of party)_____
 Substance of return_____

_____, 19____, for (name of witness)_____
 at request of (name of party)_____
 Substance of return_____

_____, 19____, for (name of witness)_____
 at request of (name of party)_____
 Substance of return_____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date August 1, 1969 Appearances for

{	United States	(Name)	<u>Hubert H. Bryant</u>
		(Address)	<u>Asst. U.S. Atty.</u>
	Accused	(Name)	<u>Harry V. Kingle III</u>
		(Address)	_____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

John C. Blanton, Spec. Agt. N&DD

none

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
 Proceedings taken _____

August 1, 1969 Accused Charles Henry Miles present in person and represented by Harry Vincent Kingle III, government represented by Hubert H. Bryant. John C. Blanton was sworn and testified. Defendant advised as to his right to testify or furnish witnesses but he declines. Commissioner finds there is probable cause to believe that the offense so charged has been committed and that the accused committed it. Defendant failed to post bond and he was committed to the custody of the U. S. Marshal to be held for court action.

Outcome Held for Court Action, committed to custody of U. S. Marshal

Bail fixed July 23rd, 1969 Amount, \$10,000.00 Bonded _____, 19____, by cash deposited by (name) _____ Address _____
 transmitted to clerk of district court _____, 19____
 [or] by surety (names) _____ Address _____
 and _____ Address _____
 who justified by affidavit _____, 19____ Committed to _____
 on _____, 19____

Certified to be a correct transcript.

Made this 1st day of August, 1969

Transmitted to Clerk of United States District Court for the Northern district of Oklahoma August 1st, 1969

Benjamin B. Ballenger
 Benjamin B. Ballenger United States Commissioner.